

JS-6

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

BMW & CM REAL ESTATE HOLDINGS,
LLC,

PLAINTIFF,

v.

ANDERIA MEDLOCK, et al.,

DEFENDANTS.

Case No. CV 15-9117 SVW (SSX)

ORDER SUMMARILY REMANDING

IMPROPERLY-REMOVED ACTION

The Court will remand this unlawful detainer action to state court summarily because Defendant removed it improperly.

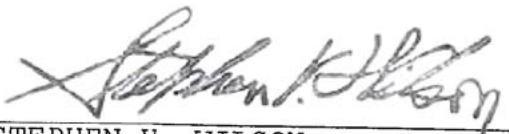
Defendant Anderia Medlock, having been sued in what appears to be a routine unlawful detainer action in California state court, lodged a Notice Of Removal of that action to this Court and also presented an application to proceed in forma pauperis. The Court has denied the latter application under separate cover because the action was not properly removed. To prevent the action from remaining in jurisdictional limbo, the Court issues this Order to remand the action to state court.

1 Simply stated, this action could not have been originally
2 filed in federal court because the complaint does not competently
3 allege facts supporting either diversity or federal-question
4 jurisdiction, and therefore removal is improper. 28 U.S.C.
5 § 1441(a), see Exxon Mobil Corp v. Allapattah Svcs., Inc., 545
6 U.S. 546, 563 (2005).

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8 Accordingly, IT IS ORDERED that (1) this matter be REMANDED
9 to the Superior Court of California, County Of Los Angeles, 275
10 Magnolia Avenue, Long Beach, CA 90802, for lack of subject matter
11 jurisdiction pursuant to 28 U.S.C. § 1447(c); (2) that the Clerk
12 send a certified copy of this Order to the state court; and
13 (3) that the Clerk serve copies of this Order on the parties.

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15 IT IS SO ORDERED.

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17 DATED: December 18, 2015

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19 STEPHEN V. WILSON
20 UNITED STATES DISTRICT JUDGE
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